

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION**

TOM WILDER and LUCIA MORALES,)	
as Parents and Next Friend)	
of RYLAN WILDER, a minor,)	
)	
Plaintiffs,)	
v.)	No. 2019 L 012935
)	
MAURICE MURPHY,)	
)	
Defendant.)	

**PLAINTIFFS' EMERGENCY MOTION FOR PROTECTIVE ORDER TO THE DES
PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS
BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK
YMCA, UPBEAT MUSIC AND ARTS and THE CITY OF CHICAGO**

Plaintiffs, TOM WILDER and LUCIA MORALES, as Parents and Next Friend of RYLAN WILDER, a minor, by and through their attorneys, CAVANAGH LAW GROUP respectfully move this Honorable Court pursuant to Illinois Supreme Court Rule 201(c)(1), to enter an order upon THE DES PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK YMCA, UPBEAT MUSIC AND ARTS and THE CITY OF CHICAGO (Chicago Police Department "CPD", Chicago Office of Emergency Management and Communications "OEMC" and Citizen Office of Police Accountability "COPA") and their attorneys, requiring that they protect and preserve, without alteration, and perform no testing, destructive or otherwise, until further order of this Court, the following documents and tangible things, including but not limited to and any all video footage from November 19, 2019. In support of this Motion, Plaintiffs state as follows:

1. On November 19, 2019, RYLAN WILDER, a minor, was shot by a Des Plaines police officer, after Christopher Willis led officers on a high-speed pursuit for approximately

eleven (11) miles after a bank robbery; said shooting took place on the premises of UPBEAT MUSIC AND ARTS, 4318 W. Irving Park Road in the City of Chicago.

2. Plaintiff, RYLAN WILDER, was subsequently transported to Lurie Children's Hospital where he was treated for gunshot wounds to his abdomen and arm.

3. On information and belief, THE DES PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK YMCA, UPBEAT MUSIC AND ARTS and THE CITY OF CHICAGO, and each of them, possess certain documents and tangible things, including but not limited to video footage from November 19, 2019, that is pertinent, relevant, and germane to Plaintiff's case.

4. In order to identify all possible individuals and entities who may have knowledge and/or responsibility for Plaintiff's injuries, and based upon legal requirements of proof, the experience of counsel, and information and belief, Plaintiff's attorneys, CAVANAGH LAW GROUP, have a basis to conclude that there exists pertinent, germane, relevant, and essential video footage that bears on the responsibility of Defendants and possibly other individuals or entities who may be responsible for Plaintiff's injuries, Plaintiffs, TOM WILDER and LUCIA MORALES, as Parents and Next Friend of RYLAN WILDER, a minor, requests that THE DES PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK YMCA, UPBEAT MUSIC AND ARTS and THE CITY OF CHICAGO, and each of them, preserve, protect, and refrain from testing or altering the following evidence as it exists in its present condition:

- a) Any and all video footage from November 19, 2019, from 4:00 pm to 9:00 pm, including but not limited to footage from security/surveillance cameras, handheld cameras, Des Plaines squad car dash camera video, Des Plaines police officer body camera video, Illinois State Police squad car dash camera video, Illinois State Police officer body camera video,

CPD squad car dash camera video, CPD police officer body camera video, OEMC POD camera video, cell phones, iPads, or any other handheld device;

- b) Any and all photographs relating to the November 19, 2019, shooting and police pursuit, including but not limited to photographs taken with cameras, cell phones, iPads, or any other handheld device;
- c) Any and all reports, memoranda, or documents pertaining to the November 19, 2019 police pursuit of Christopher Willis and shooting involving Rylan Wilder, including but not limited to investigative reports, incident reports, police reports, Des Plaines Police Department reports, CPD Major Accidents Investigation Unit reports, COPA investigative reports, Illinois State Police reports, supplemental incident reports, supplemental police reports, detective reports, investigative reports, and statements by witnesses, parties, police officers, or other emergency personnel whether written, oral, or videotaped;
- d) Any and all OEMC recordings related to the police pursuit of a bank robbery suspect and shooting of Rylan Wilder, including but not limited to 9-1-1 calls, call logs, and/or audio recordings relating to the November 19, 2019, police pursuit and shooting;
- e) Any and all radio communications, radio traffic, calls and logs to and/or between the entities involved in a police pursuit of a bank robbery suspect from Des Plaines to Chicago on November 19, 2019 including but not limited to, the Chicago Police Department, the Des Plaines Police Department, the FBI and the Illinois State Police;
- f) Any and all statements, whether recorded, written, videotaped, or audio taped, of any and all persons who witnessed or investigated the police pursuit and shooting or of anyone who may have knowledge concerning the circumstances of the police pursuit and shooting, including but not limited to any independent witnesses and employees.
- g) Any and all video and audio recordings from any officer(s) who fired their weapon during the police pursuit of Christopher Willis and subsequent shooting of Rylan Wilder, including but not limited to, his or her squad video, his or her dash camera video, his or her body camera video and any and all audio communications to and from said officers during the police pursuit and shooting.

5. In order to identify all possible individuals and entities who may have knowledge and or responsibility for Plaintiff's injuries, Plaintiffs, TOM WILDER AND LUCIA MORALES as parents and Next Friend of RYLAN WILDER, requests that THE DES PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK YMCA, UPBEAT MUSIC AND ARTS

and THE CITY OF CHICAGO, and each of them, preserve, protect, and refrain from testing or altering the foregoing evidence and maintain it in its current state.

6. In addition, Plaintiffs, TOM WILDER AND LUCIA MORALES as Parents and Next Friend of RYLAN WILDER, requests that their attorneys be permitted to enter the premises of UPBEAT MUSIC AND ARTS to take video of and photograph the premises within seven (7) days.

7. In order to properly and fairly prosecute this case, Plaintiffs, TOM WILDER AND LUCIA MORALES as parents and Next Friend of RYLAN WILDER a minor, requires that the aforesaid documents and tangible evidence be immediately preserved and maintained and that THE DES PLAINES POLICE DEPARTMENT, THE ILLINOIS STATE POLICE, ERIS BREWERY AND CIDER HOUSE, BERMAN SUBARU OF CHICAGO, IRVING PARK YMCA, UPBEAT MUSIC AND ARTS and THE CITY OF CHICAGO, provide copies of said materials and provide access to Plaintiff's attorneys, Cavanagh Law Group, within seven (7) days, on or before December 2, 2019, to make said items available to the Plaintiff's attorneys for inspection and/or reproduction.

WHEREFORE, Plaintiffs, TOM WILDER AND LUCIA MORALES as parents and Next Friend of RYLAN WILDER, a minor, by and through their attorneys, CAVANAGH LAW GROUP, request relief pursuant to this Court's appropriate rules and authority.

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